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8
9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12
13 Plaintiff,
14 v.
15 SOHAIL MAMDANI,
16 Defendant.

CASE NO. 1:22-CR-00279-JLT-BAM

STIPULATION AND ORDER TO CONTINUE
STATUS CONFERENCE

17
18 **BACKGROUND**

19 This matter is currently scheduled for a status conference on November 13, 2024 before
20 Magistrate Judge Barbara McAuliffe. ECF 55. Earlier this week the parties filed a joint status report
21 with the expectation of going forward with the status conference. ECF 57.

22 However, in the last few days, the government has come across some items of evidence
23 (primarily hard copy documents and items) retained in the evidence vault of the Drug Enforcement
24 Administration. This material was made available for defense inspection and copying beginning in
25 December 2022. However, the government has decided to scan these items into electronic documents
26 and affirmately produce them to the defense. The government is in the process of producing those
27 documents.

28 In light of this new batch of discovery, which the government expects will be about 6 or 7

1 megabytes at most, the parties mutually request that the Court continue the status conference date and
2 reset a status conference for January 8, 2025 before Magistrate Judge McAuliffe to discuss discovery
3 issues and the timing of trial. At that status conference, the government expects it will ask to set a trial
4 date for sometime in the Summer of 2025.

5 The Court has previously excluded time under the Speedy Trial Act through November 13, 2024
6 based on a stipulation of the parties. ECF 55.

7 A proposed order appears below.

8 **STIPULATION**

9 1. By previous order a status conference in this matter was scheduled for November 13,
10 2024, and all time up to November 13, 2024, was deemed excluded from the Speedy Trial Act under
11 Local Code T4. ECF 55.

12 2. By this stipulation and proposed order, the parties now move to reset the status
13 conference in this matter to January 8, 2025, with all time until that date excluded under Local Code T4.

14 3. The parties agree and stipulate, and request that the Court find the following:

15 a) The discovery associated with this case is voluminous. While all discovery has
16 been made available for inspection and copying, the government continues to produce electronic
17 copies of some materials.

18 b) Defense counsel desires additional time to consult with his client, to conduct
19 investigation and research related to the charges, to review and copy discovery for this matter,
20 and to discuss potential resolutions with his client.

21 c) Defense counsel believes that failure to grant the above-requested continuance
22 would deny him the reasonable time necessary for effective preparation, taking into account the
23 exercise of due diligence.

24 d) The government does not object to the continuance.

25 e) Based on the above-stated findings, the ends of justice served by continuing the
26 case as requested outweigh the interest of the public and the defendant in a trial within the
27 original date prescribed by the Speedy Trial Act.

28 g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,

et seq., within which trial must commence, the time period of November 13, 2024, to January 8, 2025, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Respectfully submitted,

PHILLIP A. TALBERT
United States Attorney

DATED: November 8, 2024

By: /s/ Michael G. Tierney
Michael G. Tierney
Assistant United States Attorney

DATED: November 8, 2024

By: /s/ Kevin P. Rooney
Kevin P. Rooney
Attorney for Sohail Mamdani, M.D.

ORDER

IT IS SO ORDERED that the status conference is continued from November 13, 2024, to **January 8, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv). On that date, the parties shall be prepared to discuss when they will be able to set a trial date or a change of plea date.

IT IS SO ORDERED.

Dated: **November 8, 2024**

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE